

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOSEPH ARCHAMBAULT,

Plaintiff

v.

LIBERTY LIFE ASSURANCE COMPANY OF
BOSTON

Defendant

Civil Action No. 05-11762-NG

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

Pursuant to Local Rule 16.1, the Plaintiff Joseph Archambault and the Defendant, Liberty Life Assurance Company of Boston, file this joint statement for the Scheduling Conference to be held January 25, 2006.

This is an ERISA case. Plaintiff seeks to recover long-term disability benefits pursuant to a group long term disability insurance policy issued by the Defendant to his employer as part of its employee welfare benefit plan.

The Parties' proposed schedule set forth below is based upon the fact that Liberty Life Assurance Company of Boston will produce the Administrative Record for Plaintiff that it reviewed in connection with Plaintiff's claim for long-term disability benefits, as well as the relevant plan documents.

PROPOSED PRE-TRIAL SCHEDULE

The parties propose the following pre-trial schedule:

1. Amendments to pleadings by February 15, 2006.

2. Administrative Record and relevant plan documents produced to Plaintiff by February 28, 2006.
3. Plaintiff to provide notice to Defendant if he claims that the record is incomplete or inaccurate by March 15, 2006.
4. Parties to confer by March 30, 2006 to attempt to agree on record, if Plaintiff provides notice as discussed above.
5. "Agreed Upon Record" to be filed with the Court by April 15, 2006.
6. All dispositive motions, including motions for summary judgment, are to be filed by July 15, 2006, and responses to be filed within fourteen (14) days thereafter.
7. As this is an appeal from Defendant's denial of ERISA benefits under 29 U.S.C. Sect. 1132(a), all issues of law and fact are to be decided by the Court, upon dispositive motion or motions for relief, on the existing administrative record. Therefore, no date for trial will be scheduled.

TRIAL BY MAGISTRATE

The parties do not consent to referral to the Magistrate Judge.

CERTIFICATIONS

The parties' certifications are attached.

PLAINTIFF, JOSEPH ARCHAMBAULT

DEFENDANT, LIBERTY LIFE
ASSURANCE COMPANY OF BOSTON

By his Attorney,

By its Attorneys,

/s/ Richard K. Latimer
Richard K. Latimer, BBO #287840
222 Main Street, Room 205
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(508) 548-7006

/s/ Guy P. Tully
Andrew C. Pickett, BBO#549872
Richard W. Paterniti, BBO #645170
Guy P. Tully (BBO #555625)
Jackson Lewis LLP
75 Park Plaza
Boston, MA 02116
(617) 367-0025

CERTIFICATE OF SERVICE

I hereby certify that on January 18, 2006, a copy of the foregoing was served by electronic mail on Plaintiff's counsel.

/s/ Guy P. Tully
Jackson Lewis LLP

FROM :RICHARD K LATIMER

FAX NO. :508 548 7008

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UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

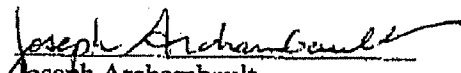
JOSEPH ARCHAMBAULT,)	
Plaintiff)	
)	
VS.)	CIVIL ACTION
)	NO. 05-11762-NG
LIBERTY LIFE ASSURANCE)	
COMPANY OF BOSTON,)	
Defendant)	

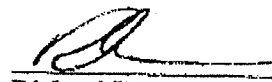
PLAINTIFF'S CERTIFICATION OF CONFERENCE
UNDER LOCAL RULE 16.1

The Plaintiff, Joseph Archambault, and his Counsel, Richard K. Latimer, certify that they have

conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course -and various alternative courses -of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Rule 16.4.


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**LOCAL RULE 16.1 CERTIFICATION OF DEFENDANT LIBERTY LIFE ASSURANCE
COMPANY OF BOSTON**

Defendant, Liberty Life Assurance Company of Boston ("Liberty Life"), and the undersigned counsel for Defendant, in accordance with Rule 16.1(D)(3) of the Local Rules of the United States District Court for the District of Massachusetts, hereby certify that they have conferred:

- a. with a view to establishing a budget for the cost of this litigation; and
- b. to consider the resolution of this case through the use of alternative dispute resolution programs, such as those outlined in Local Rule 16.4.

Lee Rabkin

Lee Rabkin
Liberty Life Assurance Company
of Boston



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